

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

T-MOBILE USA, INC.,

Plaintiff,

v.

HUAWEI DEVICE USA, INC., *et al.*,

Defendants.

Case No. C14-1351-RAJ

ORDER

This matter comes before the Court on Defendant Huawei Device USA, Inc.'s Objection to Jury Trial on Unjust Enrichment and Reasonable Royalty. Dkt. # 403. Plaintiff T-Mobile USA, Inc. opposes Defendant's objection. Dkt. # 407.

The Court agrees with Plaintiff's arguments in opposition to Defendant's notice. Defendant has not presented sufficient authority proving that these issues should not be presented to the jury. Moreover, Defendant has been aware of these issues for quite some time yet waited for the eve of trial to object. This Court has been clear that it will not allow parties to try their cases by ambush or surprise. Accordingly, the Court **DENIES** Defendant's notice of objection. Dkt. # 403.

DATED this 17th day of April, 2017.



The Honorable Richard A. Jones
United States District Judge